

REMARKS

Claims 1-4, 6, 8-13, 15, 17 and 19 are pending and stand rejected.

Claims 1-8; 12-19 are cancelled.

Claims 9-11 are amended.

Claims 20-23 are added.

No new matter is added.

Reconsideration is requested.

Claim Rejections - 35 U.S.C. § 112

Claims 8-10, 12 and 15 are rejected under 35 U.S.C. § 112, first paragraph, because the specification, while being enabling for having a belt with a plurality of teeth and fabric coated thereon, does not reasonably provide enablement for forming teeth of the belt prior to coating the teeth with a fabric.

Applicant traverses this rejection. Applicant's description “[0019] The body 2 has a toothing 4, which is coated with a coating fabric 5.” is sufficient to enable coating the teeth with a fabric without regard to order of forming the teeth. Claim 9 is not specific as to order; in other words, coating with fabric before, after or simultaneously with forming the teeth. The prior art enables this feature, for example, Fujiwara '190 at col. 4, lines 1-6.

Claim Rejections - 35 U.S.C. § 103

Claims 1-4, 11, 17 and 19, 6, 8, 13, and 15-16 are canceled to advance the prosecution.

Claims 9, 10 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,860,883 to Jonen et al. in view of U.S. Patent No. 5,171,190 to Fujiwara et al. and Meco. Applicants respectfully traverse this rejection.

Claims 9 and 10 are amended. Claim 11 is amended to depend from claim 9 and claims 20, 21 and 22 are added, based on canceled claims 2-4. Dependent claim 23 is added specifying the preferred range of thickness of the resistant layer, supported by the PCT specification, at page 7, lines 27-28.

Claim 9 is amended to clarify that the resistant layer is applied via spreading and this step of spreading follows an RFL impregnation, that the fabric is of a polymeric material and that the majority of the fluorinated plastomer microparticles mixed with elastomeric material are smaller than 10 μm . Further the amount of resistance layer material applied is specified, and the resulting uniform thickness of that layer.

Applicant first responds to the Examiner's arguments in paragraph 4 of the Action.

Please note that the RFL impregnating is generally performed putting the fabric in a RFL bath. Successively, the PTFE microparticles-containing layer of the invention is spread over the fabric impregnated with the RFL treatment, and it does not impregnate directly the fabric and it does not penetrate through it. Hence, a uniform thickness of the resistant layer is applied directly over the fabric without need of an intermediate adhesive layer.

Since the fabric is first treated with a liquid RFL solution impregnating the fabric, the second successive spreading treatment forming a resistant layer in the recited amount and containing the PTFE microparticles mixed with elastomer cannot penetrate as in Ito, and forms a distinct resistant layer. It is not clear from the Examiner statements how Ito would suggest the present invention. According to the Examiner, Ito shows a rubber treatment penetrating in the layer but also forming a layer, which is not possible or at least is not possible that Ito teaches a layer penetrating in the fabric but also having a thickness recited in amended claim 9.

Ito clearly states at [0089] that the fabric is friction coated with a rubber composition to produce a fabric impregnated with rubber. No amount of rubber composition is specified; no covering layer over the fabric is described; and no such layer is shown in any of Ito's drawings. Nor is the rubber composition specified by Ito; certainly Ito makes no suggestion of the resistant layer material of claim 9.

The teachings of Ito and Meco are not combinable to achieve the process of claim 9. Ito teaches impregnating the fabric with an unspecified rubber composition. Meco teaches applying a resistant layer to the fabric using an intermediate layer of adhesive. Neither suggests the combination of spreading a resistant layer of elastomer mixed with fluorinated elastomer particles with a majority less than 10 micrometer in size directly on the fabric layer. Osako teaches dipping the fabric into RFL in which fluorine resin powder is dispersed (see paragraph [0050]) and, like Ito and Meco, does not teach or suggest spreading a mixture of fluorinated resin and elastomer in the claimed amount and constituency on the RFL impregnated fabric. The skilled person would not come to spreading the resistant layer as claimed, containing a majority particles of PTFE having a diameter smaller than 10 μm , because there is no mention in those patents of spreading a mixture as claimed which comprises such small particles directly over RFL-treated fabric coated on the teeth.

Responding to the rejection of claims 8-10, 10 and 12 based on the combination of Jonen, Fujiwara and Meco, it is to be noted that Jonen teaches contrary to the present invention as set forth in amended claim 9. After RFL dipping, the canvas is treated with a crack resisting

rubber by friction coating (which is, by the way, different than spreading). The Jonen treatment is similar to the treatment of Ito and does not avoid that the rubber penetrates in the canvas and it does not form a distinct layer as in the present invention due to the fact that the great part of the composition of the layer spread in the claim 9 process is constituted by solid PTFE microparticles, not rubber as in Jonen. This difference is also demonstrated by the fact that Jonen suggests to use a further layer in col. 13, lines 34-35: "One reinforcing fabric layer was laminated with the crack resisting rubber." But this further layer is applied by lamination and not spreading.

Moreover there is no hint in Jonen, in Meco or in Fujiwara of PTFE micro-particles smaller than 10 μm as recited by claim 9. Again, as mentioned above, Osaka mixes the fluorine powder into the RFL liquid, not using an elastomer-plastomer mixture that is spread onto the RFL-treated fabric.

Accordingly, claims 9-11 and 20-23 are patentable over the art of record.

CONCLUSION

In review of the foregoing amendments and remarks, the application should be in condition for allowance. If any questions remain, the Examiner is requested to call the undersigned.

Respectfully submitted,

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